

IC 23-14-39

Chapter 39. Burial Rights in Multi-Space Plots

IC 23-14-39-1

Application of chapter

23-14-39-1 Sec. 1. This chapter applies to:

- (1) all burial rights in cemeteries organized or created after June 14, 1939; and
- (2) cemeteries that:
 - (A) were in existence on June 14, 1939; and
 - (B) do not have a rule or regulation in conflict with this chapter.

As added by P.L.52-1997, SEC.13.

IC 23-14-39-2

Individual property rights

23-14-39-2 Sec. 2. Except as provided in section 3 of this chapter, the burial rights in a lot, plot, burial space, crypt, or niche granted to an individual are the sole and separate property of the individual named as grantee in the instrument of grant.

As added by P.L.52-1997, SEC.13.

IC 23-14-39-3

Vested rights of spouse of grantee; effect of dissolution of marriage

23-14-39-3 Sec. 3. (a) If the grantee of a burial plot containing more than one (1) interment, entombment, or inurnment space is married at the time of the grant of the burial plot, the spouse of the grantee has a vested right of interment, entombment, or inurnment of the spouse's remains in the burial plot, unless the terms of the grant are inconsistent with burial rights of the grantee's spouse.

(b) If:

- (1) a burial plot containing more than one (1) interment, entombment, or inurnment space is granted; and
- (2) the grantee becomes married after the grant of the burial plot;

the grantee's spouse has a vested right of interment, entombment, or inurnment in the plot if more than one (1) interment, entombment, or inurnment space in the plot remains unoccupied when the individual becomes the spouse of the grantee.

(c) No transfer or other action of a grantee referred to in subsection (a) or (b) divests the grantee's spouse of the vested right of interment, entombment, or inurnment recognized in subsection (a) or (b) unless:

- (1) the spouse joins in the transfer or other action; or
- (2) the written consent of the spouse is endorsed on or attached to the transfer or other action.

(d) A final dissolution of marriage decree between a grantee referred to in subsection (a) or (b) and the grantee's spouse terminates the spouse's vested right of interment, entombment, or

inurnment recognized in subsection (a) or (b) unless the dissolution of marriage decree provides otherwise.

As added by P.L.52-1997, SEC.13.